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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,892	10/29/2003	Jesse Stone	M-15178 US	9270
7590 12/07/2005			EXAMINER	
Edward C. Kwok MacPHERSON KWOK CHEN & HEID LLP			ISSING, GREGORY C	
Suite 226			ART UNIT	PAPER NUMBER
1762 Technology Drive			3662	
San Jose, CA 95110			DATE MAILED: 12/07/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	T a 22 22	T				
	Application No.	Applicant(s)				
Office Action Summany	10/696,892	STONE, JESSE				
Office Action Summary	Examiner	Art Unit				
	Gregory C. Issing	3662				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period. - Failure to reply within the set or extended period for reply will, by stated any reply received by the Office later than three months after the material patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICATIO 1.136(a). In no event, however, may a reply be ti od will apply and will expire SIX (6) MONTHS from tute, cause the application to become ABANDONI	N. mely filed n the mailing date of this communication. ED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 16	November 2005					
	Responsive to communication(s) filed on <u>16 November 2005</u> . This action is FINAL . 2b) This action is non-final.					
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
·	1 Ex parto Quayio, 1000 0.B. 11, 4	00 0.0. 210.				
Disposition of Claims —						
	☑ Claim(s) <u>1-26</u> is/are pending in the application.					
	4a) Of the above claim(s) 11-13 and 24-26 is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-4 and 14-17</u> is/are rejected.	6) Claim(s) 1-4 and 14-17 is/are rejected.					
7)⊠ Claim(s) <u>5-10 and 18-23</u> is/are objected to.	")⊠ Claim(s) <u>5-10 and 18-23</u> is/are objected to.					
8) Claim(s) are subject to restriction and/or election requirement.						
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.						
Applicant may not request that any objection to tl	ne drawing(s) be held in abeyance. Se	ee 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a line. 	ents have been received. Ents have been received in Applicate Fiority documents have been receive Eau (PCT Rule 17.2(a)).	ion No ed in this National Stage				
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date 20040503.	4) ☐ Interview Summan Paper No(s)/Mail D 5) ☐ Notice of Informal I 6) ☐ Other:					

Application/Control Number: 10/696,892 Page 2

Art Unit: 3662

1. The disclosure is objected to because of the following informalities: the specification should be updated with respect to related applications listed in the file at pages 1-2.

Appropriate correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claims 1-4 and 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Babitch et al.

Babitch et al (2005/0162306) disclose an integrated GPS/communication device for acquiring and tracking GPS signals wherein the device, See Figure 9, attempts to maintain frequency coherency with the received GPS signal so as to perform conventional GPS processing, i.e. acquisition of GPS signals and the subsequent determination of position using a plurality of pseudorange signals. Additionally, it is taught "Determining and estimating frequency changes over time and adjusting the local frequency source appropriately allows tracking over a longer period of time, enabling longer integration times to capture weaker signals without losing frequency coherence." The section "Reference Oscillator Frequency Correction" starting at [0083] describes the estimation of the clock signal acceleration, that is the rate of change of the frequency error, and its subsequent use in the positioning receiver.

- 4. Claims 5-10 and 18-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- 5. Applicant's election without traverse of claims 11-13 and 24-26 in the reply filed on 11/16/05 is acknowledged.

Art Unit: 3662

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory C. Issing whose telephone number is (571)-272-6973. The examiner can normally be reached on Monday - Thursday 6:00 AM- 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Gregory C. Issing

Primary Examiner Art Unit 3662

gci